REMARKS

Claims 1-11 were presented and examined. In response to the Office Action, Claims 1 and 8 are amended, no claims are cancelled and no claims are added. Applicants respectfully request reconsideration of pending claims in view of the above amendments and the following remarks.

I. Claims Rejected Under 35 U.S.C. § 103

Claims 1-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2004/0186713 issued to Gomas et al. ("Gomas") in view of U.S. Patent Publication No. 2003/0041110 issued to Wenocur et al. ("Wenocur"). We respectfully traverse the rejection of Claims 1-11.

While Applicant's argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from them.

Claims 1 and 8 are amended to recite wherein the communication characteristics are determined according to whether or not an **individual** is **registered** as **disabled**, and, if **registered as disabled**, the **kind of disability** an **individual has**.

The rejection of Claims 1 and 8 is based on the combination of Gomas and Wenocur. Gomas relates to a portable electronic device that includes a user interface that is adapted for operation by a print-disabled individual using a text to speech converter and an audio output. Gomas further describes an electronic distribution system in which a server communicates with a number of remote portable electronic listening units and distributes content obtained by interfacing automatically with a number of content providers to provide, for example, a virtual newsstand for the blind and print-handicapped. (See page 1, paragraph [0011].) Gomas, however, does not disclose or suggest a system that enables communication with an opposite user having communication characteristics that are registered for a disabled person in response to a

request from the terminal unit to establish communication with the terminal of the opposite user, as in Claim 1.

As correctly recognized by the Examiner, Gomas does not specifically disclose a communication characteristic that is registered with respect to disabled persons and non-disabled persons. As a result, the Examiner cites Wenocur. In view of the Examiner's citing of Wenocur, we suggest amending Claim 1 to further highlight service variation according to whether or not an individual is registered as disabled, and, if registered as disabled, the kind of disability an individual has, as in Claim 1.

Wenocur generally relates to a method for e-mail communication applications that optimize e-mail messages according to a destination client hardware configuration. (See page 2, paragraph [0011].) Wenocur describes e-mail that is generated in a manner that is sensitive to individual user performances, so that the full impact and intent of the message is not lost. (See page 2, paragraph [0015].) Wenocur, however, fails to describe a communication that is established where an opposite user terminal unit has communication characteristics that are registered for a disabled person in response to a request from the terminal unit to establish communication with the terminal of the opposite user, as in Claim 1.

The system and method, as disclosed by Wenocur, does not provide converged communication services to an opposite user terminal having communication characteristics that are registered for a disabled person in response to a request from the terminal unit to establish communication with the terminal of the opposite user, as in Claim 1. The Examiner appears to rely on the content adaptation for sensory and physically challenged persons by using embedded semantic elements of Wenocur to disclose an opposite user terminal having communication characteristics that are registered for a disabled person, as in Claim 1. Wenocur, however, is devoid of any reference to service variation for registration of communication characteristics for the disabled. As a result, it is improper for the Examiner to rely on Wenocur since content adaptation, by using embedded semantic elements within all e-mails, provides the same communication with an opposite user terminal, regardless of whether communication characteristics are registered for a disabled person or a non-disabled person.

Moreover, we are unable to discern, and the Examiner fails to identify any portion of Gomas in view of Wenocur that teaches or suggest wherein the communication characteristics are determined according to whether or not an individual is registered as disabled, and, if registered as disabled, the kind of disability an individual has, as in Claim 1. In contrast with Claim 1, Wenocur is not concerned with whether an individual is, or is not, disable.

As described by Wenocur, a story may further be optimized to comply with a predefined set of user defined preferences, **making each story beneficially configurable for physically challenged individuals**. This is because for **every logical element** (either text, sound, images, video, or the like logical elements) there is an **underlying textual description** of that **logical element**. In contrast with Claim 1, each story includes underlying textual description so that it is beneficial to both normal and physically challenged users **do not vary depending on the end user**.

Hence, Gomas is characterized by selecting story contents, previously transformed to other properties and stored, suited to disabled persons and providing these people with them. However, Gomas does not disclose that the terminal unit **establishes communication characteristics** for implementing communication between a non-disabled person and a disabled person and **transforms the property of contents** for **real-time** communication.

Wenocur is characterized by transforming data formats and types for transmission between hetero-communication networks registered by a user. However, Wenocur does not disclose that terminal units establish communication characteristics through **reflecting the characteristic of terminals** (ex. Terminal of disabled person) and **disabled person and non-disabled person can communicate with each other**.

Thus, the present invention is distinguishable from the citations in respect of the **real-time communication** between a disabled person and a non-disabled person by establishing communication characteristics **reflecting the terminal characteristics** and **transforming data properties in real-time** and has a distinguishable effect due to the differences.

Hence, the Examiner's citing of Wenocur fails to rectify the deficiency of Gomas to teach or suggest a server unit that registers communication characteristics of an opposite user terminal in response to a request from the user terminal unit to establish communication with the terminal of the opposite user, wherein the communication characteristics of the opposite user terminal are registered for a disabled person, as in Claim 1. As a result, no combination of Gomas in view of Wenocur can disclose, teach, or suggest an open API communication server unit for registering the communication characteristics of the terminal unit, the server unit registering communication characteristics of an opposite user terminal unit in response to a request from the terminal unit to establish communication with the terminal of the opposite user, wherein the communication **characteristics** of the **opposite user** terminal unit are **registered for a disabled** person much less wherein the **communication characteristics** are **determined** according to **whether or not** an **individual** is **registered** as **disabled**, and, if **registered as disabled**, the **kind of disability** an individual has, as in Claim 1.

For each of the above reasons, therefore, Claim 1 and all claims which depend on Claim 1, are patentable over the combination of Gomas in view of Wenocur, as well as the other references of record. Consequently, we request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 1-7.

Each of Applicants' other independent claims contains limitations similar to those in Claim 1. Therefore, all of Applicants' other independent claims, and all claims which depend on them, are patentable over the cited art, for similar reasons. Consequently, we request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 8-11.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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Dated: January 5, 2010   By: _____
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CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on January 5, 2010.

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Si Vuong